

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

RICHARD LAMAR CARTER) CIVIL ACTION NO.: CV590-276
GEORGE HOWELL) CV590-273
VERNON CHARLES SMITH) CV590-278
GLORIA BUTLER) CV591-005
DANNY KIRKLAND) CV591-019
ROBERT ROLLINS) CV597-076

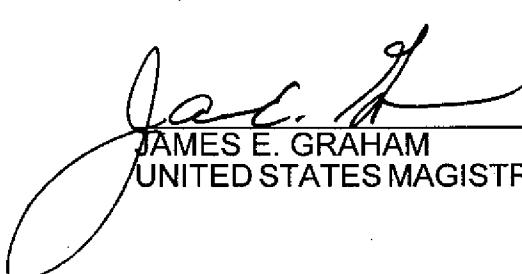
Plaintiffs,)
v.)
CSX TRANSPORTATION, INC.,)
Defendant.)

O R D E R

Plaintiffs have designated portions of the deposition of Mark E. Badders as testimony which they seek to introduce at the trials of these cases. That deposition was not taken in any of the captioned cases. Defendant has filed Objections to the introduction of those portions of Badders' deposition. (Carter, doc. 131.)

The designated portions of the deposition of Mark E. Badders will be allowed only if relevant and the requirements of Federal Rule of Evidence 804 (b)(1) are satisfied.

SO ORDERED, this 9th day of December, 2005.


JAMES E. GRAHAM
UNITED STATES MAGISTRATE JUDGE